

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- against -

06-cr-481 (JGK)

TREVOR CUMMINGS,

MEMORANDUM OPINION AND
ORDER

Defendant.

JOHN G. KOELTL, District Judge:

The defendant, Trevor Cummings, has moved for an early termination of supervised release. The defendant has completed somewhat more than two years of a five year term of supervised release. He has complied with the conditions of supervised release and has been moved to low-intensity supervision in January, 2016. If the defendant continues to comply successfully with the conditions of supervised release, he would be moved to administrative supervision which is an even lower level of supervision.

The defendant has not explained that any particular conditions of supervised release are causing any particular difficulties. Rather, he relies on the fact that he has done well on supervised release and that there is no longer a reason to continue him on supervised release. However, the fact that the defendant has in fact complied well with the conditions of supervised release for less than half the term of his original term of supervised release is an insufficient reason for the Court to vary the original term of supervised release. See,

e.g., United States v. Lussier, 104 F.3d 32, 35-36 (2d Cir. 1997); United States v. Kiss, No. 04-cr-248 (JGK), 2011 WL 2119706, at *1 (S.D.N.Y. May 24, 2011).

If the defendant continues to comply well with the conditions of supervised release, the defendant can of course apply to the Probation Department for an early termination of supervised release and make a renewed application to the Court. At this time, the application for an early termination of supervised release is denied without prejudice to renewal.

The Clerk of Court is directed to close Docket No. 121.

SO ORDERED.

**Dated: New York, New York
April 29, 2016**

_____/s/_____
John G. Koeltl
United States District Judge